

## **REMARKS**

Claims 2-5, 7-21, and 23-27 are pending in the application. Claims 2-5, 7-21, and 23-27 stand rejected in this Office Action. Reconsideration of the application, as amended is requested. No new matter has been added. The examiner's rejections are considered in substantially the same order as presented.

### **In the drawings**

Fig 2 has been amended to be Fig. 2A. Fig 2B has been added to show the externally mounted air circulation system as requested by the examiner in this action.

### **In the Specification**

The original paragraph on Page 9 has been amended to reflect the amendment of Fig. 2A and the addition of Fig. 2B.

### **Rejections under 35USC102**

The examiner has rejected claims 2-5 and 26 under 35 USC102(b) as being anticipated by Forcier, US 1443986. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Forcier describes a cement block wall structure that provides air circulation passages between the inner and outer wall. Forcier has a ventilation fan to force ambient air through the passages( page 2, line 125 to page 3, line 11). Forcier uses a screen to prevent birds and insects from entering the air passages(page 3, lines 50-57). Forcier does not disclose, teach, or suggest providing conditioning system for heating, cooling and humidifying the air as described in applicant's amended claims. Applicant asserts that claims 2-5 and 26 are patentable under 35USC102 over Forcier.

### **Rejections under 35USC103**

The examiner has rejected claims 7-13 under 35USC103(a) as being unpatentable over Forcier in view of Ojala. As indicated above, Forcier does not show the basic structure of the amended claims. Therefore, applicant asserts that claims 7-13 are patentable under 35USC103(a) over Forcier in view of Ojala.

The examiner has rejected claims 14-25 under 35USC103(a) as being unpatentable over Forcier in view of Tedman et al. Regarding claims 14-19, as indicated above, Forcier does not show the basic structure of the amended claims. Therefore, applicants assert that claims 14-19 are patentable under 35USC103(a) over Forcier in view of Tedman et al. Likewise, claim 20 is an independent method claim for inhibiting moisture accumulation according to the present invention. As indicated above, Forcier does not disclose, teach, or suggest the present invention as claimed in the amended claims. Therefore, applicant asserts that claims 20-25 are patentable under 35USC103(a) over Forcier in view of Tedman et al.

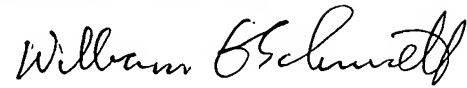
The examiner has rejected claim 27 under 35USC103(a) as being unpatentable over Forcier in view of Stein/Reynolds. As indicated above, Forcier does not disclose,

teach, or suggest the present invention as claimed in applicant's amended claims.

Applicant asserts that claim 27 is patentable under 35USC103(a) over Forcier in view of Stein/Reynolds.

Consideration of the application as amended is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William E. Schmidt".

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**In the drawings**

Fig. 2 has been amended to be Fig. 2A. Fig. 2B has been added on the same sheet as Fig. 2A to show the externally mounted air circulation system as requested by the examiner in this action.